

REMARKS

The applicant respectfully requests reconsideration in view of the amendment and the following remarks.

The Examiner has maintained his rejection of claims 6 and 10-13 as being unpatentable over Hossel et al. (US 2001/0021375 A1) and claims 6 and 8-13 as being unpatentable over Hossel et al. (US 2001/0021375 A1) in view of either Tropsch et al. (US 5,869,032) or Hossel et al. (US 6,191,188 B1). The applicant respectfully traverses these rejections for the reasons stated in the applicant's last response.

The applicant respectfully disagrees with the Examiners opinion at page 3 of the office action that a partially quarternized, i.e. charged, polymer would read on an unquarternized, i.e. neutral, polymer. Charged polymers, might be fully or partially quarternized, bear ionic charges which will effect e.g. the interaction between the polymer and a substrate, e.g. hair. The interaction of neutral polymers will take place in a different way when compared to charged polymers. For this purpose the polymers must be regarded in their totality. The approach as suggested by the Examiner is by no means helpful because he regards the polymer units as independent from each other.

In order to expedite prosecution, the applicant has amended the claims from "comprising" to "consisting essentially of" language as suggested by the Examiner. "Consisting essentially of" language is partially open and partially closed claim language which permits any additional ingredient in any amount that does not materially effect the claimed invention. Since the quarternized form effects the claimed invention, then it is excluded from the claims. For the above reasons, these rejections should be withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 12810-00039-US from which the undersigned is authorized to draw.

Dated: July 10, 2007

Respectfully submitted,

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